



# Haryana Government Gazette

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## PART III

### Notifications by High Court, Advertisement, Notices and Change of Name etc.

#### HARYANA WAQF BOARD

50, SARDAR PATEL MARG, AMBALA CANTT.

#### Notification

The 29th May, 2019

**No. Waqf-42/(8)/2003/HWB/Vol.V/2019.**— I, Hanif Qureshi, IPS, Administrator-cum-CEO, Haryana Waqf Board, Ambala Cantt. in exercise of the powers conferred under Section 27 of the Waqf Act, 1995, hereby delegate the following powers to Senior Officers/Officer In-Charges and Estate Officers/Rent Collectors of different Sections of Head Office/Circles, Haryana Waqf Board with immediate effect :-

- (1) The Assistant Engineer & Officer In-Charge, Engineering and Services Division (ESD) is given powers to sanction electricity/telephone/water charges bills up to Rs. 2,000 (Rupees Two Thousand Only) in one case.
- (2) The Assistant Engineer & Officer In-Charge, ESD is give powers to sanction diesel/petrol bills up to Rs. 2,000 (Rupees Two Thousand Only).
- (3) The Officer In-Charge, Legal Section is given power to clear legal expenses/ bills of Advocate up to Rs. 5,500 (Rupees Fifty Five Hundred Only).
- (4) The Administrative Officer and the Accounts Officer are authorized to sign lease/Patta orders and NOC of Ambala & Hissar Commissionaires and Rohtak & Gurugram Commissionaires respectively, if any and issue them after getting proper sanction and approval on file from the competent authority.
- (5) The Administrative Officer is given power to sanction leave up to Clerks/RCs level. For general purpose, the Administrative Officer shall also be authorized to attest copies from originals (except for the purposes of filing in the court cases) in Head Office only.
- (6) The Accounts Officer is given power to attest cashbook on behalf of the CEO and to pass bills/vouchers in respect of recurring/non recurring expenditure.

**Powers Delegated to the Estate Officers**

- (1) (a) To institute suits for possession and injunctions of any kind as well as suits for permanent injunction in emergent cases, where it is not feasible to obtain the resolution/authorization from the Board/Chairman in time, to engage counsel, to sign Plaint, Written Statements, other relevant documents concerned with the case, and verify pleading of such cases, Applications Under Order 39 Rules 1 and 2 CPC, and to swear and verify affidavits. But if there is some necessity to obtain the permission, they will endeavor to obtain the permission and this clause of power must be exercised in emergent circumstances only. But the Estate Officer after filing such suits shall intimate about the action taken by him to the Chief Executive Officer of the Board without any delay who will place the same before the Board/Chairman for passing a resolution/authorization regarding ratification. The Estate Officer shall not compromise or withdraw the proceedings without prior approval of the Board/Chairman.
- (b) To file and defend any appeal, revision, review or any application regarding the decision of the Court before the competent Court of Law/authority and without any delay shall intimate the same to the CEO for producing before the Board/Chairman for passing resolution/authorization regarding ratification. But the E.O. shall not compromise or withdraw the proceedings without the prior approval of the Board/Chairman.
- (c) To file the petition for ejectment against the encroachers defined U/s 3(i)(ee) under the Haryana Public Premises and land (Eviction and Rent Recovery) Act, 1972 as amended upto date before the competent court of law in emergent cases. If there is some necessity, they will endeavor to obtain the permission and this clause of power must be exercised in emergent circumstances only. But the Estate Officer after filing such suits shall intimate about the action taken by him to the Chief Executive Officer of the Board without any delay who will place the same before the Board/Chairman for passing a resolution/authorization regarding ratification. The Estate Officer shall not compromise or withdraw the proceedings without prior approval of the Board/Chairman.
- (2) To sign and verify the pleadings, to sign and move the execution applications, restoration application, *ex-parte* setting aside applications, the same having been approved by the Board/Chairman, Haryana Waqf Board and to engage counsel and to execute *vakalatnama* in favour of Counsel of the Board.
- (3) To institute and sign the applications before any authority, Court or Gram Panchayat regarding revenue cases, engage Counsel and execute *vakalatnama* for that purpose.
- (4) To lodge F.I.R. with the police in which criminal action is required to be taken or in case of apprehension of trespass on Waqf property/land, and report to Chief Executive Officer of Board immediately after taking for ratification.
- (5) To appear in appeals/revisions Land Acquisition proceedings and other miscellaneous proceedings pending before any court and authority on behalf of or against the Board and to give a statement on oath or otherwise being instructed by the Head Office in that behalf and to do all act, necessary for prosecution/defend of the said proceedings.
- (6) To attest copies from the original record in the manner provided in Section 76 of the Indian Evidence Act, 1872 (1 of 1872) for filing the same in the court relating to any suit, application, appeal, revision, execution, writ or any other executive or judicial proceedings. The power shall be exercised by the Estate Officer only for the purpose of filing in the case in which Board is a party and for the benefit of the Board, but they will not issue any copy to any person otherwise.
- (7) To take possession or effect recovery in execution proceedings.
- (8) To receive A/c payee voucher from Court or any other authority on behalf of the Board/Chairman with prior permission of the Head Office. But such powers will not include the power to compromise any proceedings or withdraw any case without obtaining the permission from the Head Office and clearly stating the reason/grounds of compromise therein.
- (9) To correspond with District Administration under intimation to Head Office.

**Powers Delegated to the Rent Collectors**

- (1) To institute any Suit for Permanent Injunction in the emergent cases in the absence of EO applications and suit before any Gram Panchayat, relating to revenue cases in the absence of Estate Officer and if necessary to engage counsel.

- (2) In case particular official who has instituted a case is transferred to some other place, then his successor in office shall have the same powers over the case.
- (3) To make statements and pursue the case on behalf of the Board but they will not be allowed to withdraw or compromise any case without the prior permission of the Board.
- (4) To obtain possession in execution proceedings in the absence of Estate Officer.
- (5) To institute criminal complaints in the Court of Law relating to offences under the Indian Penal Code or the Cr. P.C., as the case may be committed against the Board or in respect of properties or its offices or other interests of the Board in the absence of the Estate Officer concerned and to engage counsels, but will not be allowed to withdraw any such case without prior permission of the Board/Chairman.
- (6) To lodge F.I.R. with the police in case of theft or damage of waqf properties or trespass on waqf property or defiling of religious or worship places or any offence committed in relation to waqf properties or officials of the Board and the Rent Collector concerned shall intimate his action to Estate Officer and Chief Executive Officer without any delay.

HANIF QURESHI,  
IG/IRB, Bhondsi and IGP/L&O,  
Administrator-cum-CEO  
Haryana Waqf Board.

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